



ARAVA NATURAL RESOURCES COMPANY, INC.

July 6, 2017

VIA FEDERAL EXPRESS & EMAIL

Mr. Steve Kaiser (C-14J)
U.S. Environmental Protection Agency, Region 5
Office of Regional Counsel
77 West Jackson Boulevard
Chicago, Illinois 60604-3590
Email: kaiser.steven@epa.gov

Dear Mr. Kaiser:

I write on behalf of Arava Natural Resources Company, Inc. ("Arava"), and in response to the "Supplemental Request for Information Pursuant to Section 104(e) of CERCLA for the U.S. Smelter and Lead Refinery Superfund Site, East Chicago, Indiana" dated June 21, 2017 (the "Supplemental 104(e) Request"). Referenced in and enclosed (in CD form as Enclosure D) with the Supplemental 104(e) Request is a document titled "USSRAM Corporate Records Inventory" (the "Index").

Preliminary Statement

The Supplemental 104(e) Request is a follow-up to requests for information issued by EPA in July 2006 and June 2007. Arava hereby incorporates by reference any responses to those requests, including without limitation any objections raised therein, which Arava considers to be continuing and applicable to this Request as well.

Arava also objects to the Supplemental 104(e) Request to the extent that the Request seeks information that belongs to separate legal entities, including Mueller Industries, Inc. ("Mueller"), Mining Remedial Recovery Company ("MRRC"), and USS Lead Refinery, Inc. ("USS Lead"). Arava understands that separate information requests have been directed to those entities.

Arava also objects to the Supplemental 104(e) Request on the grounds that the Request is overly broad and seeks information that is unduly burdensome to retrieve and not reasonably calculated to advance the information-gathering goals of Section 104(e) of CERCLA.

Subject to and without waiving the foregoing objections and any other objections Arava may have to the Supplemental 104(e) Request, Arava has undertaken a diligent inquiry into the questions contained in the Supplemental 104(e) Request.

Responses

Arava provides the following responses to the questions presented in the Supplemental 104(e) Request, subject to and without waiving the objections set forth in the Preliminary Statement:

1. **Request:** Please state whether Arava is aware of the existence of the USSRAM Corporate Records Inventory Index included as Enclosure D.

Response: When consulted in connection with Arava's response to the Supplemental 104(e) Request, Mr. Scott Miller, an Arava employee, was aware of the existence of the Index. Mr. Miller suspected that he last saw the Index document more than 10 years ago.

2. **Request:** Please identify who commissioned the creation of the Corporate Records Inventory Index.

Response: Upon information and belief, the creation of the Index may have been originally commissioned by Mr. Gary Barker, the former President of Arava, who is deceased.

3. **Request:** Please state whether Arava is in possession of the USSRAM Corporate Records Inventory identified by the enclosed index. If Arava is not in possession of the USSRAM Corporate Records Inventory, please identify who is in possession of the inventory. Further, please explain how, when, and why it was transferred from into the possession of that entity. Finally, if the USSRAM Corporate Records Inventory has been transferred to a new entity, please provide the contact information, including the name of the entity's agent, and the agent's mailing address, phone number, and email address.

Response: Based on consultations with Mr. Miller, the records — either in their entirety or in large part — are likely located and maintained at the warehouse leased by MRRC at 4780 Caterpillar Road, Unit C, Redding, California 96003. MRRC may be contacted through its Vice President, Norman S. Johnson, 780 Caterpillar Road, Unit C, Redding, California 96003, (530) 242-8757, email: njohnson@mrcc.att.net.

Based on information and belief, Arava understands that at one point in time, the records referred to in the Index were stored by Sharon Steel Corporation ("Sharon Steel"), at a facility in Midvale, Utah. In connection with the Bankruptcy Court-approved reorganization of Sharon Steel, the Midvale property — along with the records contained therein — was transferred to MRRC, pursuant to a December 28, 1990 capital contribution agreement (provided to Annette Lang of DOJ as Exhibit 8 to Covington's January 25, 2017 letter).

Based on consultations with Mr. Miller, Arava understands that the documents referred to in the Index were re-catalogued in approximately the late 1990s, when the documents were stored in the vicinity of Wildcat Junction, Utah. Accordingly, the organization and box numbering of the documents as reflected in the Index likely does not correspond to the records as they are currently organized in Redding, California.

4. **Request:** If Arava is in possession of the USSRAM Corporate Records Inventory please provide copies of the records identified in Enclosure E.

Response: Arava understands that MRRC will undertake a diligent response to the separate 104(e) request for the records that has been issued to MRRC.

5. **Request:** Identify all persons consulted in the preparation of the answers to this request for information.

Response: The following individuals were consulted in the preparation of the answers to this request for information:

- Mr. Scott Miller – Arava – may be contacted through Arava’s counsel, E. Donald Elliott, Covington & Burling LLP
- Mr. Michael Baum – President, MRRC – 780 Caterpillar Road, Unit C, Redding, California 96003, (530) 242-8757
- Mr. Norman S. Johnson – Vice President, MRRC - 780 Caterpillar Road, Unit C, Redding, California 96003, (530) 242-8757
- Mr. William Hensley – former General Counsel of Mueller Industries, Inc. (1991-2000, 2003-2005) – may be contacted through me
- Mr. Gary C. Wilkerson – former General Counsel of Mueller Industries, Inc. (2005-2016) – may be contacted through me

Sincerely,



Christopher J. Maritello
Vice President – Legal & Secretary

cc: E. Donald Elliott, Esq. (via email only)
Thomas Brugato, Esq. (via email only)

Enclosure F
Information Request
USS Lead Site

DECLARATION

I declare under penalty of perjury that I am authorized to respond on behalf of the Respondent and that the foregoing is complete, true, and correct.

Executed on July 6, 2017


Signature

Christopher J. Miritello
Type or Print Name

VP - Legal & Sec'y
Title